

### REMARKS

This application has been reviewed in light of the Office Action dated March 4, 2009. Claims 32-38 and 40-48 are pending in this application, of which Claims 32 and 44 are in independent form. Claims 32-34 and 44-46 have been amended to define still more clearly what Applicant regards as his invention. Claim 39 has been canceled without prejudice or disclaimer of subject matter. The specification has been amended. Favorable reconsideration is requested.

Initially, with regard to the objection to the specification, Applicant respectfully points out this claim to priority benefit is not made under any of the sections to which the requirement properly pertains, and that his claim is in any event made in the Application Data Sheet. Nonetheless, to eliminate this as an issue, Applicant has amended the specification in the manner requested.

In the outstanding Office Action, Claims 32, 34, 39-41, 44 and 46 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication 2002/0190215 (Tashiro et al.). In addition, Claims 33 and 45 were rejected under 35 U.S.C. § 103(a) as being obvious from *Tashiro* in view of U.S. Patent 5,528,043 (Spievey et al.), Claims 35, 37 and 38 as being obvious from *Tashiro* in view of U.S. Patent Application Publication 2001/0033337 (Sakuragi et al.), Claim 36, as being obvious from *Tashiro* in view of *Sakuragi* and the cited NPL ELE343 Lab publication, and Claims 42 and 43, as being obvious from *Tashiro* in view of U.S. Patent Application Publication 2001/0033336 (Kameshima et al.).

As shown above, Claims 32 and 44 have been amended to incorporate portions of the recitations of Claims 33 and 34 and those of Claim 39, and to recite that the

constant current source is formed by film formations, together with at least one of the photoelectric converting element, resetting transistor and readout transistor. This last feature is supported, at the least, by page 17, lines 10-14 of the original specification.<sup>1/</sup>

The Office Action cites paragraph [0008] of *Tashiro* for the feature that the constant current source is formed from amorphous silicon or polysilicon. Applicant submits that nothing in that paragraph discloses or suggests that “the resetting transistor, the readout transistor, and the constant current source are formed from an amorphous silicon layer or a polysilicon layer”, as recited in Claims 32 and 44.

Applicant notes that the claims have been reworded to clarify that the recited readout unit is not met by the unit “N” in Fig.14 of *Tashiro*. In this regard, the readout unit is recited as having an amplifier connected to the signal line.

Thus, it is clarified that if the recited readout unit corresponds to anything in *Tashiro*, it would correspond, e.g., to the differential amplifier A1 of Fig. 11. But with this clarification it is believed to be plain that in *Tashiro* the constant current source is provided not spaced from the readout unit rather than the pixel, and thus does not suggest the claimed structure.

Further, as shown above, Claims 32 and 44 recite that “the constant current source ... is formed by film formations, together with said photoelectric converting elements and/or said resetting transistors and/or said readout transistors”. Applicant submits that nothing in *Tashiro* suggests this feature.

Accordingly, Applicant submits that *Tashiro* fails to meet the terms of

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<sup>1/</sup> It is to be understood, of course, that the claim scope is not limited to the details of this or any other embodiment that may be referred to.

Claims 32 and 44 in at least two respects: *Tashiro* does not suggest a “constant current source is provided on said signal line at a position on said insulating supporting substrate, spaced from said readout unit rather than said pixel”, or a constant current source that “is formed by film formations, together with said photoelectric converting elements and/or said resetting transistors and/or said readout transistors”, as recited in Applicant’s claims. Applicant also believes that nothing in *Tashiro* could be deemed to propose the objective of the present invention, or to suggest any way in which the significant advantage of the present invention could be attained.

Therefore, it is submitted that Claims 32 and 44 are distinguished from *Tashiro*, taken alone.

Further, *Sakuragi* and *NPL ELE343 Lab* do not disclose these two features. Even if these documents are combined with *Tashiro*, therefore, the result would not meet the terms of Claims 32 and 44, and those claims are therefore believed to be allowable over these three documents, taken separately or in any possible combination.

A review of the other art of record has failed to reveal anything that, in Applicant’s opinion, would remedy the deficiencies of the art discussed above, as applied against the independent claims herein. Therefore, those claims are respectfully submitted to be patentable over the art of record.

The other claims in this application depend from one or the other of the independent claims discussed above, and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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